

April 11, 2019

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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In the Matter of )  
NextEra Energy Seabrook, LLC ) Docket No. 50-443  
(Seabrook Station, Unit 1) )  
\_\_\_\_\_ )

**C-10 RESEARCH AND EDUCATION FOUNDATION'S  
MOTION REGARDING SEABROOK STATION SITE TOUR**

Pursuant to 10 C.F.R. § 2.323, C-10 Research and Education Foundation (“C-10”) moves to establish June 26 or 27 as the date for a tour of relevant portions of Seabrook Station Unit 1 in preparation for the hearing in this proceeding. C-10 also requests leave to have the following representatives attend the site tour: Diane Curran (undersigned counsel), Dr. Victor Saouma (C-10’s primary expert witness), Natalie Hildt Treat (C-10’s Director), and Christopher Nord (board member and chair of C-10’s LAR Working Group). In support of this motion, C-10 states the following:

- Setting a date for the site tour in advance will assist C-10 in conserving resources, by allowing it to purchase plane tickets for undersigned counsel and Dr. Saouma well ahead of time; and by allowing C-10 to plan in-person meetings with counsel and Dr. Saouma to prepare for the September hearing. June 26 and 27 are feasible dates for the C-10 team.<sup>1</sup>

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<sup>1</sup> C-10 understands that it may not be possible for NextEra to set a firm date for the site tour until it learns what particular parts of the Seabrook site the Board wants to see, and that this may not be possible until late April. C-10 makes this request now in order to ensure timely consideration of the dates that are most feasible for C-10.

- During the April 4, 2019 teleconference with the ASLB panel members and parties, it was suggested that the purpose of the site tour is to familiarize the Board with the Seabrook site, not to educate the parties; and therefore attendance at the site tour should be limited to the Board members and counsel. C-10 respectfully submits that it is appropriate to include the three other C-10 representatives, in addition to undersigned counsel, for the following reasons:
  - Dr. Saouma should be allowed to attend, in order to ensure that if the Board asks questions about particular locations in the site, he has had the opportunity to see the same thing. That will assist him in making accurate and meaningful responses.
  - Ms. Treat and Mr. Nord should be allowed to attend because of the critical role they have played and continue to play on C-10's behalf in this proceeding. For most of the duration of the proceeding, Mr. Nord, other C-10 board members and Ms. Treat have represented C-10 *pro se*, including reviewing the license application, working with C-10's expert, and preparing the hearing request. They continue to play a major role in reviewing documents and working with Dr. Saouma to prepare for the hearing. As with Dr. Saouma, it is important for them to see the same things the ASLB members see at the site, in order to ensure that they have a common understanding with the Board of the relevant physical features of the site. This will assist C-10 in understanding colloquies between the Board members and counsel and experts during the hearing; and in preparing all of its pleadings, including its statements of position and proposed findings of fact and conclusions of law.

The considerations described above relate to providing a reasonable opportunity for meaningful participation by C-10 in the adjudicatory hearing process, not to education of C-10 and its expert.

For the foregoing reasons, the motion should be granted.

Respectfully submitted,

/signed electronically by/

Diane Curran

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## **CERTIFICATE OF COUNSEL**

Pursuant to 10 C.F.R. § 2.323(b), I certify that on April 11, 2019, I consulted counsel for NextEra and the NRC Staff in a sincere effort to resolve the issues raised by this motion for leave to reply. Counsel for NextEra stated that Next Era opposes the motion. Counsel for the NRC Staff stated that the Staff opposes the motion and reserves the right to respond.

*[Electronically signed by]*

Diane Curran

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**CERTIFICATE OF SERVICE**

I certify that on April 11, 2019, C-10 RESEARCH AND EDUCATION FOUNDATION'S MOTION REGARDING SEABROOK STATION SITE TOUR was posted on the NRC's electronic hearing docket.

/signed electronically by/

Diane Curran